



Response Under 37 C.F.R. § 1.116 -  
Expedited Procedure - Examining Group 1713

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LINDA N. WINSLOW

Group Art Unit: 1713

Examiner: Robert D. Harlan

Serial No.: 10/087,028

Filed: March 1, 2002

For: DIMINE COMPLEXES FOR OLEFIN POLYMERIZATION

Attorney Docket No.: LYON 0127 PUS

DECLARATION UNDER 37 C.F.R. § 1.132

Mail Stop AF  
Commissioner for Patents  
U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, James W. Proscia, do hereby declare and state as follows:

1. I obtained a B.S. in Chemistry, *magna cum laude* from New York University, an M.A. in physics from Harvard University, and a Ph.D. in Chemical Physics from Harvard University, where my principle field of study was in vapor deposition from organometallic precursors. I have also been an Adjunct Professor of Chemistry at Wayne State University, and am the named inventor on 15 patents in the area of vapor deposition and coatings, in particular chemical vapor deposition employing organometallic coating precursors.

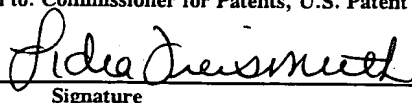
2. I am familiar with the present application, U.S. Serial No. 10/087,028, and the Office Actions of record.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

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Lidia Freismuth  
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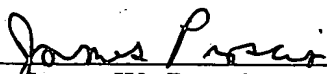
3. The claims of the application require at least one of the substituents not to be branched at the imino carbon atom, and I understand the Examiner's position to be that an aryl group directly bonded to the imino nitrogen of the claimed complexes is not branched.

4. As one skilled in the field of Organic Chemistry, the Examiner's conclusion is wrong.

5. A branch in a hydrocarbon is an assembly of linkages which allows divergent paths to be taken from a branch point, in this case, from the carbon atom bonded directly to the imino nitrogen. In an aryl group directly bonded to an imino nitrogen, the carbon atom thus bonded is clearly a branch point as that term is understood in Organic Chemistry, and an aryl group thus attached is clearly branched.

It is noted that the claim language pertains to branched hydrocarbons, not to branched aliphatic hydrocarbons nor to branched alkyl groups. An aryl group bonded directly to an imino nitrogen is clearly understood by one of ordinary skill in the art of organic chemistry as "branched at the imino carbon."

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

  
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Dr. James W. Proscia

Dated: 9/16/04